The Ḥanafī Madhhab on
Tahajjud Congregation in Ramaḍān

Mufti Taqi Usmani

Question For Ḥaḍrat Mawlānā Muftī Muḥammad Shafī‘

A fatwā of Ḥaḍrat Mawlānā Ḥusayn Aḥmad Madanī رحمه الله was published in *al-Jumu‘ah – Special Issue on Shaykh al-Islām*, stating that congregational Tahajjud in Ramaḍān, even with *tadā‘ī* (public invitation), is more preferable. Ḥaḍrat Gangohī قدس الله سره, in *Fatāwā Rashīdiyyah*, ruled that congregational Tahajjud with *tadā‘ī* is makrūh taḥrīmī. However, Ḥaḍrat Madanī deemed this to be based on a weak (*marjūḥ*) view.

I have written to many individuals and have not received a decisive response from anyone. Apart from Ḥaḍrat Wālā (Muftī Muḥammad Shafī‘), regarding this topic, I do not currently have any expectation of one. Muftīs involved in major tasks simply walk away. The topic under discussion is very important, as there is fear of opening a new door to bid‘ah. Doubts were even created in my own mind. Here, in the previous Ramaḍān, fifty, sixty, and sometimes even over a hundred people performed congregational Tahajjud ṣalāh. Importance was being placed on it. I did not take part, nor did I encourage anyone to take part, nor did I stop anyone. However, friends would ask, and I would tell them that the fuqahā’ have generally ruled that *nafl* in congregation is makrūh with *tadā‘ī*, and I have not heard of any of our Akābir practising this.

Ḥaḍrat Wālā, please do write something regarding Ḥaḍrat Madanī’s رحمة الله عليه evidences in some detail. Although it may inconvenience Ḥaḍrat Wālā, what can be done? A satisfactory response has yet to be received from anywhere. The response from Ḥaḍrat Mawlānā Ḥusayn Aḥmad Madanī رحمه الله is attached.

The lowly slave, Maḥmūd Ḥasan عفي عنه, Karachi

Answer From Ḥaḍrat Mawlānā Ḥusayn Aḥmad Madanī رحمه الله

(Cited in *Special Issue on Shaykh al-Islām*, p.54 in the newspaper *al-Jumu'ah*, Delhi)

Answer to a question about congregational *nafl* in Ramaḍān apart from Tarāwīḥ – extracted from *Maktūbāt-i-Makhṭūṭah*:

According to *Fatḥ al-Qadīr* (1:438) in *Bāb al-Istisqā'*:

وقد صرح الحاكم أيضا في باب صلاة الكسوف من الكافي بقوله: ويكره صلاة التطوع جماعة ما خلا قيام رمضان وصلاة الكسوف، وهذا خلاف ما ذكر شيخ الإسلام

"Al-Ḥākim also stated explicitly in the chapter of Ṣalāt al-Kusūf from *al-Kāfī*: 'Optional prayer is makrūh in congregation apart from the *qiyām* of Ramaḍān and Ṣalāt al-Kusūf. This is different from what Shaykh al-Islām mentioned."[1]

According to *Radd al-Muḥtār* (1:523):

قلت: ويؤيده أيضا ما فى البدائع من قوله إن الجماعة فى التطوع ليست بسنة إلا في قيام رمضان

"I say, this is also supported by what is mentioned in *al-Badā'i'*, where it is stated that congregational *nafl* is not sunnah except for the *qiyām* of Ramaḍān."

It also states:

والنفل بالجماعة غير مستحب لأنه لم يفعله الصحابة في غير رمضان

"Congregational *nafl* is not desirable as the Ṣaḥābah did not practice it outside of Ramaḍān."

The above citations refer explicitly to the *qiyām* of Ramaḍān, without limiting it to Tarāwīḥ. Since it is narrated from Allāh's Messenger ﷺ that he prayed *nafl* in congregation for several nights, up until the third night, and that the noble Ṣaḥābah continued this practice up until the last night (of Ramaḍān), as reported in abundance in the *Muwaṭṭa'* of Imām Mālik and other sources, congregational *nafl* prayers during the nights of Ramaḍān are permissible. This applies to all *nafl* prayers prayed in the nights of Ramaḍān, whether they are Tarāwīḥ or Tahajjud,

[1] Shaykh al-Islām Khāharzādah said that Istisqā' is also permitted in congregation, but the apparent exclusion of only *qiyām* of Ramaḍān and al-Kusūf suggests that Istisqā' is also not permitted in congregation. However, the generally accepted understanding is that Istisqā' is an exception to the general impermissibility of congregational *nafl*, just like Tarāwīḥ and Kusūf. (Translator)

whether at the start or the end of the night. According to *Muwaṭṭa' Imām Mālik*, p.111:

قال محمد: وبهذا نأخذ لا بأس بالصلاة في شهر رمضان أن يصلي الناس بإمام تطوعا لأن المسلمين قد أجمعوا على ذلك

"Muḥammad said, we adopt this. There is no issue with ṣalāh in the month of Ramaḍān: for people to pray *nafl* behind an imām, as the Muslims have agreed upon this."

According to *Fatḥ al-Bārī* (4:215) in *Bāb Faḍl Man Qāma Ramaḍān*:

أي قيام لياليه مصليا، والمراد من قيام الليل ما يحصل به مطلق القيام كما قدمانه في التهجد سواء كان قليلا أو كثيرا وذكر النووي أن المراد بقيام رمضان صلاة التراويح، يعني: أنه يحصل بها المطلوب من القيام لا أن قيام رمضان لا يكون إلا بها، وأغرب الكرماني فقال: اتفقوا على أن المراد بقيام رمضان صلاة التراويح

"Meaning, the standing in prayer during its nights. The standing at night refers to anything from which standing in general is achieved, as we mentioned earlier in the topic of Tahajjud, whether it is little or much. Al-Nawawī noted that the *qiyām* of Ramaḍān refers to Ṣalāt al-Tarāwīḥ, meaning that what is intended by '*qiyām*' is fulfilled through this, not that the *qiyām* of Ramaḍān can only be achieved by it. Al-Kirmānī made a peculiar statement when he claimed there is unanimous agreement that the *qiyām* of Ramaḍān refers to Ṣalāt al-Tarāwīḥ."

Al-'Ayni said in *Sharḥ Bukhārī*:

قال الكرماني: اتفقوا على أن المراد بقيام الليل صلاة التراويح، قلت: قال النووي: المراد بقيام رمضان صلاة التراويح، ولكن الاتفاق من أين أخذه؟ بل المراد من قيام الليل ما يحصل به مطلق القيام، سواء كان قليلا أو كثيرا

"Al-Kirmānī said there is unanimous agreement that the *qiyām* of Ramaḍān refers to Ṣalāt al-Tarāwīḥ. I say: al-Nawawī mentioned that the *qiyām* of Ramaḍān refers to Ṣalāt al-Tarāwīḥ. However, where did [al-Kirmānī] get [the notion of] unanimous agreement from? In reality, the *qiyām* of Ramaḍān refers to anything from which standing in general is achieved, whether it is little or much."

He further said in *Kitāb al-Īmān* from *'Umdat al-Qari* (1:281):

ومعنى من قام رمضان من قام بالطاعة في ليال رمضان، ويقال يريد صلاة التراويح، وقال بعضهم لا يختص ذلك بصلاة التراويح بل في أي وقت صلى تطوعا حصل له ذلك الفضل

"The meaning of 'someone who stands in Ramaḍān' refers to one who stands in obedience during the nights of Ramaḍān. It has been said that this refers specifically to the Tarāwīḥ ṣalāh. Some have opined that it is not limited to the

Tarāwīḥ ṣalāh; rather, any time one prays *nafl* during the nights of Ramaḍān, they acquire this virtue."

From the above citations, the following points are understood:

1. Not every *nafl* ṣalāh in congregation is makrūh; there are certain exceptions.
2. The *qiyām* of Ramaḍān and Ṣalāt al-Kusūf are listed amongst the exceptions.
3. Earlier scholars, like Imām Muḥammad, al-Ḥākim, the author of *Badā'i' al-Ṣanā'i'* and others, used the term "*qiyām* of Ramaḍān", which is not specific to Tarāwīḥ.
4. Specifying "*qiyām* of Ramaḍān" to Tarāwīḥ is a weak position, held by 'Allāmah Kirmānī and 'Allāmah Nawawī (رحمهما الله). In opposition to them, Ḥāfiẓ Ibn Ḥajar al-'Asqalānī and Imām al-'Aynī took the referent of "*qiyām* of Ramaḍān" to include all *nafl* prayers, whether Tarāwīḥ, Tahajjud or others. They deemed Imām al-Nawawī's statement to be *mu'awwal* (interpreted), as reverting to their view. They considered al-Kirmānī's view to be strange and weak. This (i.e. *nafl* in general) is also the straightforward meaning (of "*qiyām* of Ramaḍān").

The statement in *Fatāwā Rashīdiyyah* (2:159, 49) that restricts the exceptions to Tarāwīḥ is based on a weak view. Therefore, all congregational *nafl* prayers in Ramaḍān, whether with *tadā'ī* or without, are permitted and even recommended. These acts fall under the ḥadīth, "Whoever stands (for prayer) in Ramaḍān with belief and anticipation, all of his previous sins will be forgiven." It is incorrect to reprimand this practice. In fact, all acts of obedience – whether *nafl* ṭawāf, *nafl* 'umrah or other similar acts – are counted and encouraged within this (ḥadīth), as stated by al-'Aynī رحمه الله.

We also found that the practice of Ḥaḍrat Qutb al-'Ālam Ḥājī Imdādullāh Ṣāḥib قدس الله سره العزيز in Makkah Mu'aẓẓamah to be upon this. Similarly, it was Ḥaḍrat Shaykh al-Hind Mawlānā Maḥmūd al-Ḥasan Ṣāḥib's قدس الله سره العزيز practice. This is further supported by the longstanding practices in the two Ḥarams: the Shāfi'ī school specifically observes ten rak'ahs of Tahajjud, and the Mālikīs practise forty rak'ahs. Moreover, it has been the ancient custom of the people of Makkah to perform seven-round ṭawāf after every *tarwīḥah* (set of four-rak'ahs of Tarāwīḥ). And Allāh knows best.

The disgrace of the predecessors, Ḥusayn Aḥmad غفر له

19 Dhu ‘l-Ḥijjah 1372
Dār al-‘Ulūm Deoband

Answer to the Letter by Mawlānā Muftī Muḥammad Shafī‘ Ṣāḥib رحمه الله

Respected servant, *Assalāmu ‘alaykum wa raḥmatullāh wa barakātuh*

In terms of the issue itself, the matter is not so very important but the aspect of critiquing Ḥaḍrat Mawlānā Madanī’s رحمه الله fatwā has made it so grave that without sufficient study and research, lifting the pen is difficult. I don’t engage in such work during Ramaḍān at all. Hence, I delegated this task to my young son Muḥammad Taqī سلمه who is this year joining Dawrah Ḥadīth. I thought it would be training for him and that he would first extract references from books and present them, after which I would write something. But *māshāAllah* the boy is intelligent. That is why he not only extracted all the references from the books without any help from me but also compiled a complete write-up using those quotations on his own. Now that I have seen the write-up, I found it to be completely sufficient and comprehensive. That is why I approved it as is and wrote an endorsement. I am sending it now. Wassalām.

The slave Muḥammad Shafī‘ عفا الله عنه

4 Shawwāl 1378

Answer by Ḥaḍrat Mawlānā Muhammad Taqi Usmani مد ظله العالي

The answer, and He guides to the truth:

Apart from Tarāwīḥ, Istisqā' and Kusūf, other congregational *nafl* prayers, if performed with *tadā'ī*, are in all cases considered makrūh taḥrīmī, whether in Ramaḍān or outside of it. This is the position held by the generality of the fuqahā' and muḥaddithūn, and it has remained the fatwā and practice of the earlier predecessors.

(1)

According to *Badā'i' al-Ṣanā'i'*:

إذا صلوا التراويح ثم أرادوا أن يصلوها ثانيا يصلون فرادى لا بجماعة لأن الثانية تطوع مطلق والتطوع المطلق بجماعة مكروه (بدائع، ج١ ص٢٩٠)

"If they prayed Tarāwīḥ and then intended to pray it again, they must pray it individually, not in congregation, because the second one is a general *nafl* prayer, and a general *nafl* prayer in congregation is makrūh."

'Allāmah Ibn Nujaym states:

ولو صلوا التراويح ثم أرادوا أن يصلوها ثانيا يصلون فرادى (البحر الرائق ج٢ ص٧٤)

"If they prayed Tarāwīḥ and then intended to pray it again, they must pray it individually."

According to *Fatāwā 'Ālamgīriyyah*:

ولو صلوا التراويح ثم أرادوا أن يصلوها ثانيا يصلون فرادى كذا في التتارخانية (عالمكيرية ج١ ص١٢٣)

"If they prayed Tarāwīḥ and then intended to pray it again, they must pray it individually. This is stated in *al-Tatārkhāniyyah*."

According to *Fatāwā Bazzāziyyah*:

صلوا بجماعة ثم أرادو إعادتها بالجماعة يكره لأن النفل بجماعة على التداعي يكره إلا بالنص (بزازية على هامش الهندية، ج٤ ص٣١)

"(If a group) prayed Tarāwīḥ in congregation and then wanted to repeat it in congregation, it is makrūh because *nafl* in congregation with *tadā'ī* (invitation) is makrūh unless there is a textual stipulation."

It is understood from the above-cited texts that repeating Tarāwīḥ in congregation is not permissible. The legal reason for this is also stated in *Badā'i'* and *Fatāwā Bazzāziyyah*: the Tarāwīḥ offered a second time would amount to unrestricted *nafl* – i.e. a *nafl* for which there is no scriptural text permitting it to be prayed in congregation – and unrestricted *nafl* in congregation is makrūh (taḥrīmī). Hence, it is understood that according to the respected fuqahā', *nafl* in congregation (with *tadā'ī*) is makrūh in all cases, whether in Ramaḍān or outside Ramaḍān. If Ramaḍān *nafl*s were, in a general sense, excluded from this rule, redoing Tarāwīḥ in congregation would not have been impermissible, as is evident.

(2)

'Allāmah Ṭahir ibn 'Abd al-Rashīd al-Bukhārī wrote in *Khulāṣat al-Fatāwā*:

ولو زاد على العشرين بالجماعة يكره عندنا بناء على أن صلاة التطوع بالجماعة مكروه (خلاصة الفتاوى، ج١ ص٦٣)

"Adding to twenty rak'ahs in congregation is makrūh according to us based on (the fact) that *nafl* prayer in congregation is makrūh."

If Ramaḍān *nafl*s were generally permitted, performing more than twenty rak'ahs would not be makrūh.

(3)

According to *al-Durr al-Mukhtār*:

ولا يصلى الوتر ولا التطوع بجماعة خارج رمضان أي يكره ذلك لو على سبيل التداعي بأن يقتدي أربعة بواحد كما فى الدرر (شامي، ج١ ص٦٦٣)

"Witr and *nafl* should not be prayed in congregation outside of Ramaḍān; that is, it is makrūh if done in the manner of *tadā'ī*, where four individuals follow one imām, as stated in *al-Durar*."

'Allāmah Ibn 'Ābidīn رحمه الله said:

والنفل بالجماعة غير مستحب لأنه لم تفعله الصحابة في غير رمضان (رد المحتار، ج١ ص٦٦٤)

"Congregational *nafl* is not desirable because the Ṣaḥābah did not do it outside of Ramaḍān."

'Allāmah Kāsāni wrote:

الجماعة فى التطوع ليست بسنة إلا في قيام رمضان وفى الفرض واجبة أو سنة مؤكدة (بدائع الصنائع، ج١ ص٢٩٨)

“Congregational *nafl* is not sunnah except for the *qiyām* of Ramaḍān. For *farḍ* prayers, congregation is either wājib or sunnah mu’akkadah.”

Muḥaqqiq Ibn al-Humām said:

وقد صرح الحاكم أيضا في باب صلاة الكسوف من الكافي بقوله ويكره صلاة التطوع جماعة ما خلا قيام رمضان وصلاة الكسوف (فتح القدير، ج١ ص٤٣٨)

“Al-Ḥākim also explicitly stated in the chapter on Ṣalāt al-Kusūf from *al-Kāfī*: ‘Optional prayer is makrūh in congregation apart from the *qiyām* of Ramaḍān and Ṣalāt al-Kusūf.’”

In the above-cited texts, “*qiyām* of Ramaḍān” is exempted from the reprehensibility of congregational *nafl* prayers, and the term “*qiyām* of Ramaḍān” has been used instead of “Tarāwīḥ”. From its general wording, one might assume this rule (of reprehensibility) applies only outside of Ramaḍān. However, in reality, the term “*qiyām* of Ramaḍān” according to the convention of the fuqahā’, particularly in the context of congregational prayers, is not general but rather specific to Tarāwīḥ, as we will, *inshāAllāh*, explain in detail shortly. May Allāh grant success.

(4)

Ḥaḍrat Shaykh al-Ḥadīth Mawlānā Muḥammad Zakariyyā Ṣaḥib رحمه الله said in *Sharḥ Muwaṭṭa’*:

قال الزرقاني رحمه الله: ظاهره (أي حديث أفضل الصلاة صلاتكم في بيوتكم إلا المكتوبة) يشمل كل نفل، لكنه محمول على ما لا يشرع له التجميع كالتراويح والعيدين (أوجز المسالك، ج٢ ص٧)

“Al-Zurqānī رحمه الله said that the apparent meaning of the ḥadīth (“The best ṣalāh is your ṣalāh in your homes, besides the obligatory ones”) encompasses all *nafl* prayers but this is understood to refer specifically to those *nafl* prayers where congregation is not legislated like Tarāwīḥ and the two ‘Īds.”

Ḥaḍrat Shaykh Mawlānā Khalīl Aḥmad Sahāranpūrī رحمه الله wrote in *Sharḥ Abī Dāwūd*:

فإن خير صلاة المرء وهذا عام لجميع النوافل والسنة إلا النوافل التي من شعائر الإسلام كالعيدين والكسوف والاستسقاء. قلت: وهذا يدل على أن صلاة التراويح في البيت أفضل، والجواب عن الذين قالوا بأفضليتها في المسجد جماعة: أن رسول الله صلى الله عليه وسلم قال ذلك لخوف الافتراض، فإذا زال الخوف بوفاته عليه السلام ارتفع المانع وصار فعله في المسجد أفضل، فأشبه صلاة العيد (بذل المجهود ج٢ ص٣٣٦)

“For indeed the best ṣalāh for a person (is in their home). This applies generally to all *nafl* prayers and sunnahs except for those *nafl*s which are amongst the symbols

of Islām like the two ‘Īds, Kusūf and Istisqā’. I say: This indicates that Ṣalāt al-Tarāwīḥ is more virtuous when prayed at home. The response on behalf of those who argue that it is more virtuous in the masjid in congregation is that the Messenger of Allāh ﷺ mentioned this to prevent it from becoming obligatory. Once the fear of it becoming obligatory dissipated with his passing ﷺ, this preventative cause was removed, and hence, the performance of Tarāwīḥ in the masjid became superior, resembling the two ‘Īd ṣalāhs.”

In these texts, the term “Tarāwīḥ” has been used, not “*qiyām* of Ramaḍān”, so there is no ambiguity from the generality of the term that could suggest the rule is applicable generally (even beyond Tarāwīḥ).

(5)

According to *al-‘Ināyah Sharḥ al-Hidāyah*:

(فصل في قيام شهر رمضان) ذكر التراويح في فصل على حدة لاختصاصها بما ليس لمطلق النوافل (عناية على هامش الفتح ج١ ص٣٣٣)

“Chapter on *qiyām* in the month of Ramaḍān. He mentioned Tarāwīḥ in a separate chapter because it is distinguished by things that don’t apply to general *nafl*s.”

(تحت قول الكنز وسن في رمضان عشرون ركعة إلخ) بيان لصلاة التراويح وإنما لم يذكرها مع السنن المؤكدة قبل النوافل المطلقة لكثرة شعبها ولاختصاصها بحكم من بين سائر السنن والنوافل وهو الأداء بجماعة (البحر الرائق، ج٢ ص٧١)

“(Under the statement of *Kanz al-Daqā’iq*, ‘20 rak‘ahs is sunnah in Ramaḍān’): This is a description of Ṣalāt al-Tarāwīḥ. He did not include it with the sunnah mu’akkadahs before general *nafl*s, due to its many branches and it being distinguished from all other sunnahs and *nafl*s by the rule of performing it in congregation.”

It is understood from this that performing Tarāwīḥ in congregation makes it distinctive in relation to all other sunnahs and *nafl*s.

(6)

According to *Fatāwā QāḍīKhān*:

ويستحب أداءها (أي التراويح) بالجماعة وقال مالك رحمه الله والشافعي رحمه الله فى القديم: الانفراد أفضل كسائر السنن انتهى، وفيه بعد ذلك: والصحيح أن أداءها بالجماعة فى المسجد أفضل لأن فيه تكثيرا للجماعة وكذلك فى المكتوبات (خانية على هامش الهندية، ج١ ص٢١٣)

“Its performance in congregation is recommended. Mālik رحمه الله, as well as al-Shāfi‘ī رحمه الله in his earlier position, said that praying individually is more virtuous than all other sunnahs….The correct view is that performing it in congregation in the masjid is more virtuous, as it involves increasing the congregation. The same applies to obligations.”

The first portion of this text indicates that apart from Tarāwīḥ and a few other stipulated sunnahs, in all sunnahs we agree with the earlier position of al-Shāfi‘ī and others that praying individually is more virtuous. The second portion states that Tarāwīḥ shares the same rule as obligatory prayers. Had congregation been permissible for other *nafl*s of Ramaḍān, this would have been made clear.

(7)

Ḥaḍrat Mawlānā Rashīd Aḥmād Gangohī قدس الله سره العزيز wrote:

“Congregational *nafl*, apart from those instances proven in Ḥadith, is makrūh taḥrīmī. It is written in fiqh that if there is *tadā‘ī*, meaning there are four individuals (i.e. followers), congregational ṣalāh for Kusūf, Istisqā’ and Tarāwīḥ is correct, while all other congregational *nafl*s are makrūh. This is from the books of fiqh.” (*Fatāwā Rashīdiyyah*, p.289)

Ḥaḍrat Ḥakīm al-Ummat Mawlānā Thānawī قدس الله سره العزيز said while explaining the harms of *shabīnah* (completing the Qur’ān on a single night of Ramaḍān in congregation):

“For example, if this practice takes place after Tarāwīḥ, a congregational *nafl* with a large gathering will occur, which is makrūh.” (*Imdād al-Fatāwā*, 1:300)

These scholars have stated clearly that congregational *nafl* (apart from Tarāwīḥ) in Ramaḍān is impermissible, just as it is outside of Ramaḍān.

(8)

Apart from these narrations, reasoning also dictates that congregational *nafl* in Ramaḍān is impermissible because Tarāwīḥ in congregation goes against the normal rule (*qiyās*). Tarāwīḥ is an optional prayer, and for such acts, hiddenness is preferred, unlike obligatory prayers. This is why optional prayers are superior not only individually but also in the house as the Messenger of Allāh ﷺ said in a ḥadīth:

صلاة المرء في بيته أفضل من صلاته في مسجدي هذا إلا المكتوبة

“A man’s ṣalāh in his house is more virtuous than his ṣalāh in this masjid of mine – except the obligatory prayer.”

Hence, it is established that congregational Tarāwīḥ is *khilāf al-qiyās* (against the normal rule). It is a conceded principle of Uṣūl that something which is *khilāf al-qiyās* is confined to its individual elements. It is not allowed to analogise it to other cases and apply its judgement to them. Now, the question arises: what is the locus of congregational *nafl*s? The locus is: Kusūf, Istisqā', the two 'Īds (for those who deem them sunnahs) and Tarāwīḥ. Congregation has not been transmitted anywhere for other *nafl*s of Ramaḍān e.g. Tahajjud.

While something like this is found in a few narrations, the congregation in those cases was not in the manner of *tadā'ī*, which is permissible in all cases by agreement. For example, in the famous incident of Ḥaḍrat Ibn 'Abbās رضي الله عنهما, he said that the Messenger of Allāh ﷺ was engaged in Tahajjud, and I went and stood on his left side, so the Messenger of Allāh ﷺ took me with his hand and moved me to his right. In this case, the only muqtadī was Ḥaḍrat Ibn 'Abbās رضي الله عنهما. Similarly, it states in the notes of Ḥaḍrat Shaykh Mawlānā Anwar Shāh Kashmīrī قدس الله سره العزيز on *Tirmidhī*:

وبين التراويح والتهجد في عهده عليه السلام لم يكن فرق فى الركعات بل فى الوقت والصفة أي التراويح تكون بالجماعة فى المسجد بخلاف التهجد (العرف الشذي، ج١ ص٢٣٠)

"There was no difference between the rak'ahs of Tarāwīḥ and Tahajjud[2] in his era but rather in the timing and description, i.e. Tarāwīḥ was in congregation in the masjid as opposed to Tahajjud."

Ḥaḍrat Mawlānā Rashīd Aḥmad Ṣāḥib Gangohī wrote:

"And Allāh's Messenger ﷺ would always pray Tahajjud individually. He never prayed it in congregation with *tadā'ī*. If someone came and stood with him, there was no issue, as when Ḥaḍrat Ibn 'Abbās رضي الله عنهما once came and stood behind him by himself. This is different from Tarāwīḥ, which he performed several times with *tadā'ī*." (*Fatāwā Rashīdiyyah*, p.307)

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[2] It is not clear that this is the case. In an authentic ḥadīth from *Musnad Aḥmad* (13213), Anas رضي الله عنه describes the Prophet ﷺ leading the companions in Tarāwīḥ ṣalāh on a night of Ramaḍān in a manner that clearly indicates the number of rak'ahs exceeded eight. The common claim that only eight rak'ahs were performed refers to the Prophet's ﷺ personal Tahajjud, not the collective Tarāwīḥ prayer. The strongest evidence for Tarāwīḥ being 20 rak'ahs comes from the continuous practice of the ummah, beginning with the Ṣaḥābah. A regimented, continuous performance of a fixed set of 20 rak'ahs would not have been instituted unless it was based in the practice of the Prophet ﷺ. Imām Abū Ḥanīfah stated: "'Umar did not introduce this practice on his own; rather, he received it from the Prophet." (*al-Ikhtiyār*, 1:235). Imām al-Tirmidhī records no opinion from the salaf that Tarāwīḥ consisted of less than 20 rak'ahs. (*Sunan al-Tirmidhī* [Dār al-Ta'ṣīl], 2:147). (Translator)

Once it is understood that congregational *nafl* is legislated only in Tarāwīḥ, Kusūf, Istisqā' and the two 'Īds, this judgment will not be extended to other *nafl*s like Tahajjud, as congregation has not been narrated or recorded for them. **Therefore, apart from textually stipulated *nafl*s, all *nafl*s, whether in Ramaḍān or outside of Ramaḍān, are makrūh taḥrīmī with *tadā'ī***.

A Study on "*Qiyām* of Ramaḍān"

Ḥaḍrat Shaykh Mawlānā Madanī رحمة الله عليه cited the texts presented earlier under no. 3 and also referenced a text from *Muwaṭṭa' Imām Mālik*. In all of these, the term "*qiyām* of Ramaḍān" is used in the context of exceptions. He then brought forth texts from 'Allāmah 'Aynī and 'Allāmah 'Asqalānī, from which it is established that "*qiyām* of Ramaḍān" does not refer only to Tarāwīḥ, but rather to anything in general through which *qiyām* (standing in worship) is achieved. Combining these two premises: (a) the fuqahā' used the term "*qiyām* of Ramaḍān" and (b) the passages from 'Aynī and 'Asqalānī suggest its general application, he concluded that every congregational *nafl* prayer in Ramaḍān is permissible. However, while the term "*qiyām* of Ramaḍān" is indeed general in its linguistic sense, in the convention of most fuqahā' and muḥaddithūn, it is specifically understood to refer to Tarāwīḥ alone. The reason for using the term "*qiyām* of Ramaḍān" instead of "Tarāwīḥ" is explained by 'Allāmah Bābirtī in his commentary on *al-Hidāyah* as follows:

وترجم بقيام رمضان اتباعا للفظ الحديث قال صلى الله عليه وسلم: إن الله تعالى فرض عليكم صيامه وسننت لكم قيامه (عناية على هامش الفتح ج١ ص٣٣٣)

"He used the heading 'qiyām of Ramaḍān' in imitation of the wording of the ḥadīth in which the Prophet ﷺ said, 'Indeed Allāh has made its fast obligatory for you and I have made its *qiyām* sunnah for you.'"

The meaning of the statement of the fuqahā' (that other *nafl*s in congregation, apart from "*qiyām* of Ramaḍān", is makrūh) is better and more suitably taken, not from *'Umdat al-Qārī* and *Fatḥ al-Bārī*, but rather from the words of the fuqahā' themselves. This is because their words hold the status of a textual stipulation in the topic under discussion, as opposed to *'Umdat al-Qārī* and *Fatḥ al-Bārī*, where the focus was not on the discussion of congregational ṣalāh, but rather on the explanation of the ḥadīth:

من قام رمضان إيمانا واحتسابا غفر له ما تقدم من ذنبه

"Whoever stands in Ramaḍān with belief and anticipation, all of his previous sins will be forgiven."

Hence, here we will present several passages from the fuqahā' which are explicitly in the context of congregational ṣalāh, from which it is understood that, according to them, in the context of congregational ṣalāh, "*qiyām* of Ramaḍān" refers to Tarāwīḥ.

‘Allāmah Marghīnānī رحمه الله, in *al-Hidāyah*, used the title *faṣl fī qiyām Ramaḍān* instead of *faṣl fī ‘l-Tarāwīḥ*, and then proceeded to discuss the rules of Tarāwīḥ. The commentators of *al-Hidāyah*, like Muḥaqqiq Ibn al-Humām رحمه الله, under this title, rather than explaining “*qiyām* of Ramaḍān” explained Tarāwīḥ:

(فصل في قيام رمضان) التراويح جمع ترويحة (فتح القدير ج١ ص٣٣٣)

“‘*Faṣl fī qiyām Ramaḍān*: Tarāwīḥ the plural of *tarwīḥah*.”

Using the same title, ‘Allāmah Bābirtī رحمه الله elaborated on why Tarāwīḥ is distinct from other sunnahs and *nafl*s. (*al-‘Ināyah*)

Malik al-‘Ulamā’ ‘Allāmah al-Kāsānī رحمه الله, in *Badā’i‘ al-Ṣanā’i‘*, also employed the term *qiyām* of Ramaḍān and subsequently explained it implicitly as referring to Tarāwīḥ. Explaining the distinctions that differentiate obligations from *nafl*s, he wrote:

ومنها أن الجماعة فى التطوع ليست بسنة إلا في قيام رمضان وفى الفرض واجبة أو سنة مؤكدة

“Amongst them is that congregation in *nafl* is not sunnah except in the *qiyām* of Ramaḍān and for obligatory ṣalāhs it is either obligatory or sunnah mu’akkadah.”

Then two lines later, he said explaining the reason for this difference:

وإنما عرفنا الجماعة سنة فى التراويح بفعل رسول الله صلى الله عليه وسلم وإجماع الصحابة (بدائع الصنائع، ج١ ص٢٩٨)

“We only recognise congregation to be sunnah in Tarāwīḥ based on the practice of Allāh’s Messenger ﷺ and the consensus of the Ṣaḥābah.”

Furthermore, the ruling that repeating Tarāwīḥ in congregation is impermissible proves that the author of *Badā’i‘ al-Ṣanā’i‘* understood “*qiyām* of Ramaḍān” to refer to Tarāwīḥ and determined congregational *nafl* in both Ramaḍān and outside of Ramaḍān to be impermissible, as is evident.

‘Allāmah Shams al-A’immah al-Sarakhsī رحمه الله said:

الفصل الخامس في كيفية النية واختلفوا فيها والصحيح أن ينوي التراويح أو قيام الليل (مبسوط للسرخسي، ج٢ ص١٤٥)

“The fifth chapter on the method of intention: They differed concerning this. The correct view is that one intends Tarāwīḥ or the night vigil.”

According to *Fatāwā QāḍīKhān*:

إن نوى التراويح أو سنة الوقت أو قيام الليل في رمضان جاز (خانية على هامش عالكيرية، ج١ ص٢١٦)

“If one intends Tarāwīḥ or the sunnah of that time or the night vigil in Ramaḍān, it is permitted.”

It is as though the night vigil in Ramaḍān and Tarāwīḥ are both synonymous. It is the same whether, when making the intention for Tarāwīḥ, you intend Tarāwīḥ or the *qiyām* of Ramaḍān.

Where the term “*qiyām* of Ramaḍān” has been used in ḥadīths and narrations, it can only be taken to mean Tarāwīḥ, nothing else. For example:

عن سلمان الفارسي رضي الله عنه قال: خطبنا رسول الله صلى الله عليه وسلم في آخر يوم من شعبان فقال: يا أيها الناس قد أظلكم شهر عظيم شهر مبارك شهر فيه ليلة خير من ألف شهر جعل الله صيامه فريضة وقيامه تطوعا

“It is narrated from Salmān al-Fārisī that he said: The Messenger of Allāh ﷺ delivered a sermon to us on the last day of Sha‘bān and said: ‘O people, an immense month has cast its shadow over you: a blessed month in which is a night better than a thousand months. Allāh has made its fasting obligatory and its *qiyām* recommended.’”

In the narration of *Sunan al-Nasā’ī*:

افترض الله عليكم صيامه وسننت لكم قيامه

“Allāh has made its fast obligatory for you, and I have made its *qiyām* sunnah for you.”

Here, *qiyām* cannot refer to anything besides Tarāwīḥ. If Tahajjud was meant, the sentence “its *qiyām* is recommended” would be pointless because Tahajjud being recommended is not limited to Ramaḍān; it is also recommended outside of Ramaḍān. It is thus realised that here, *qiyām* refers to Tarāwīḥ alone. Taking Tarāwīḥ as what is meant by *qiyām* here is supported by the fact that the fuqahā’ quote it as proof of Tarāwīḥ. (*Fatḥ al-Qadīr*, 1:333; *al-Fatāwā al-Bazzāziyyah*, p.31; *Marāqī al-Falāḥ*, p.234)

عن السائب بن يزيد الصحابي قال: كانوا يقومون على عهد عمر رضي الله عنه بعشرين ركعة وعلى عهد عثمان وعلي رضي الله عنهما مثله (عمدة القاري بحواله بيهقي، ج٥ ص٢٦٧)

“It is reported from al-Sā’ib ibn Yazīd that he said: They would stand (for prayer) in ‘Umar’s رضي الله عنه era with 20 rak‘ahs, and in ‘Uthmān’s and ‘Alī’s رضي الله عنهما eras the same.”

The context of this ḥadīth clearly shows that the *qiyām* here refers to Tarāwīḥ. The Ḥanafīs present this as evidence that Tarāwīḥ consists of 20 rak‘ahs, as found in *al-‘Umdah*.

In *Ṣaḥīḥ Muslim*, this is how a title was framed (though the titles themselves were not set by Imām Muslim, they were added by reliable muḥaddithūn):

باب الترغيب في قيام رمضان وهو التراويح (صحيح مسلم ج١ ص٢٥٩)

“Chapter on encouraging *qiyām* in Ramaḍān, i.e. Tarāwīḥ.”

Ḥaḍrat Shaykh Mawlānā Anwar Shāh Kashmīrī قدس الله سره العزيز wrote in his comments on *Tirmidhī*:

باب ما جاء في قيام شهر رمضان أي التراويح (العرف الشذي، ج١ ص٣٢٩)

“Chapter on what has been transmitted about *qiyām* in the month of Ramaḍān, i.e. Tarāwīḥ.”

Ḥaḍrat Shaykh Mawlānā Rashīd Aḥmad Gangohī رحمة الله عليه stated in his comments on *Tirmidhī*:

باب في قيام شهر رمضان هذا القيام كان عاما ثم اختص بالتراويح فمطلقه يراد به التراويح (الكوكب الدري، ج١ ص٢٦٧)

“Chapter on the *qiyām* in the month of Ramaḍān. This *qiyām* was general and then became restricted to Tarāwīḥ, hence its generalised usage refers to Tarāwīḥ.”

Regarding the passage of *Muwaṭṭa’ Muḥammad* which Mawlānā Madanī رحمة الله عليه quoted in his reply, it is clear from its context that the term “*qiyām* of Ramaḍān” that Imām Muḥammad رحمه الله used refers to Tarāwīḥ. The passage is as follows:

قال محمد: وبهذا كله نأخذ لا بأس بالصلاة في شهر رمضان أن يصلي الناس تطوعا بإمام لأن المسلمين قد أجمعوا على ذلك

“Muḥammad said, all of this we adopt. There is no issue with ṣalāh in the month of Ramaḍān: for people to pray optionally with an imām because the Muslims have agreed upon this.”

The evidence that has been cited for this rule – i.e. the consensus of the Muslims – is true only about Tarāwīḥ not other than Tarāwīḥ, because in other than Tarāwīḥ, let alone consensus about congregation, its very existence is not transmitted. This is because, in the blessed times of the noble Messenger ﷺ and the noble Ṣaḥābah رضوان الله تعالى عليهم أجمعين, evidence of congregational *nafl* with *tadā‘ī* is not found apart from in Tarāwīḥ.

Anyhow, all these citations which we have presented about this topic thus far at minimum proves that where the fuqahā' and others determined "*qiyām* of Ramaḍān" as being exempted from the reprehensibility of congregation, they took the referent there as Tarāwīḥ, even though in and of itself the term "*qiyām* of Ramaḍān" mentioned in the ḥadīth "من قام رمضان إيمانا واحتسابا غفر له ما تقدم من ذنبه" is inclusive of every ṣalāh and act of obedience.

The Issue Under Discussion & ‘Allāmah ‘Aynī

The above citations and others show that the standing (in prayer) at night during Ramaḍān for which congregation has been considered permissible refers to Tarāwīḥ. However, several commentators of Ḥadīth have considered “*qiyām* of Ramaḍān” to be general, like the commentator of Bukhārī, ‘Allāmah Badr al-Dīn al-‘Aynī رحمه الله, the reference to whose passage was given in Ḥaḍrat Mawlānā Madanī’s رحمه الله answer. It is understood from this that ‘Allāmah Badr al-Dīn al-‘Aynī’s رحمه الله position is that standing (in prayer) at night during Ramaḍān is general. Tarāwīḥ and other than Tarāwīḥ are all included in “*qiyām* of Ramaḍān” under the category of “ما يحصل به القيام مطلقا” (that from which *qiyām* is achieved in general).

However, if it is considered carefully, it will come to the fore clearly that this view of ‘Allāmah Badr al-Dīn al-‘Aynī رحمه الله comes under the explanation of the ḥadīth “من قام رمضان إيمانا واحتسابا غفر له ما تقدم من ذنبه,” hence its upshot is that the reward that is found in this ḥadīth for “*qiyām* of Ramaḍān” is not only for Tarāwīḥ. Rather, this reward will be gained for ṣalāh in general performed during the nights of Ramaḍān. At this juncture, this discussion has no connection to whether it is performed in congregation or not. Hence, ‘Allāmah ‘Aynī رحمه الله did not mention the topic of congregation here at all. Rather, ‘Allāmah ‘Aynī رحمه الله mentioned this topic in *Bāb Ṣalāt al-Layl*, in which his comment is as follows. He said under the ḥadīth:

صلوا أيها الناس في بيوتكم فإن أفضل الصلاة صلاة المرء في بيته

“O people, pray in your homes for indeed the best ṣalāh is a man’s ṣalāh in his home.”

واستثنى من عموم الحديث عدة من النوافل ففعلها في غير البيت أكمل وهو ما تشرع فيها الجماعة كالعيدين والإستسقاء والكسوف

“He excluded a number of *nafl*s from the generality of the ḥadīth and thus performing them outside the house is more perfect, and that is those in which congregation is legislated, like the two ‘Īds, Istisqā’ and Kusūf.”

Then, after a few lines he said:

قال الإمام حميد الدين الضرير: نفس التراويح سنة، أما أداءها بالجماعة فمستحب

“Imām Ḥamīd al-Dīn al-Ḍarīr said the Tarāwīḥ itself is sunnah and as far as its performance in congregation is concerned, it is recommended.”

Then one line further:

وفي جوامع الفقه: التراويح سنة مؤكدة والجماعة فيها واجبة وفى الروضة لأصحابنا أن الجماعة فضيلة وفى الذخيرة لأصحابنا عن أكثر المشايخ أن إقامتها بالجماعة سنة على الكفاية (عمدة القاري، ج٥ ص٢٦٧)

"According to *Jawāmi' al-Fiqh*, Tarāwīḥ is sunnah mu'akkadah and congregation therein is obligatory. According to *al-Rawḍah* by our companions, congregation is a virtue. According to *al-Dhakhīrah* by our companions, performing it in congregation is a communal sunnah according to most mashāyikh."

The gist is that 'Allāmah Badr al-Dīn al-'Aynī رحمة الله عليه, where he generalised "*qiyām* of Ramaḍān", he did not mention the issue of congregation there, and where he explained the issue of congregation, he did not mention "*qiyām* of Ramaḍān" there amongst the exceptions but rather mentioned the term Tarāwīḥ. Hence, to argue from his statement – based on the term "*qiyām* of Ramaḍān" being general – that apart from Tarāwīḥ, other congregational *nafl*s are permissible is incorrect.

It is also understood from this elaboration that there is no actual disagreement between the fuqahā' in this topic – according to them all, it is only Tarāwīḥ that is permissible in congregation. However, the discussion here is about the virtue that is found in the ḥadīth "من قام رمضان إيمان واحتسابا غفر له ما تقدم من ذنبه," is that specific to just Tarāwīḥ or will that be achieved for ṣalāh in general? About this, 'Allāmah 'Aynī رحمة الله عليه preferred the view of generality while 'Allāmah Nawawī and 'Allāmah Kirmānī رحمهما الله preferred the other view (as mentioned by al-'Aynī).

From this elaboration, it has also become clear that Ḥaḍrat Mawlānā Gangohī رحمة الله عليه, who holds the title of "the Abū Ḥanīfah of his age" amongst the group of Deoband, is in complete agreement with the verified research of the scholars and jurists. Considering his stance the weaker opinion is beyond the understanding of this weak one.

The practice of Ḥaḍrat Ḥājī Imdādullāh Ṣāḥib Muhājir Makkī and Ḥaḍrat Shaykh al-Hind Mawlānā Maḥmūd al-Ḥasan قدس الله سره العزيز remains. Ḥaḍrat Ḥājī Ṣāḥib's رحمة الله عليه practice is unknown [to us]. However, regarding Ḥaḍrat Shaykh al-Hind, this much is known with certainty that he performed Tahajjud in congregation at the start without *tadā'ī* with one or two individuals, but afterwards, when numerous people started to join, because of this very reprehensibility, he made it a habit to extend the Tarāwīḥ for the entire night. Generally, eight to ten *ajzā'* would be recited in Tarāwīḥ with congregation, and Tarāwīḥ itself would be completed at suḥūr time. This was witnessed by countless individuals (who are living) even today in Deoband. And Allāh knows best the reality of the situation.

An Important Request

Finally, it is requested that, keeping in mind the great status, eminent position and academic mastery of Ḥaḍrat Mawlānā Ḥusayn Aḥmad Madanī قدس الله سره العزيز, not even a great scholar should have the daringness to pick up the pen on this topic, let alone a child in the maktab such as myself writing something about it. However, the particular distinctiveness of the group of Deoband and the straight path we were guided to from the teaching and instruction of these very elders is that freely expressing opinions in issues of Sharī'ah is not abandoning etiquette, rather, the students expressing their thoughts is the spiritual benefit of those same elders. Hence, I wrote, taking Allāh's تعالى name, whatever became clear to me upon researching, and I seek Allāh's تعال protection from the slightest lack of etiquette with the seniors. Āmīn.[3]

O Allāh, show us the truth as truth and enable us to follow it, and show us the false as false and enable us to refrain from it. Our final call is that all praise belongs to Allāh, the Lord of all the worlds.

The most insignificant slave, Muhammad Taqi Usmani, may he be pardoned

Student at Dār al-'Ulūm Karachi
3 Shawwal 1378/13 April 1959

To Allāh is credited the excellence of the responder whereby he hit the mark in what he answered and excelled in the benefit he conferred, while being mindful of the etiquette due to the seniors. May Allāh enable him towards what He loves and approves.

The slave, Muḥammad Shafī' عفا الله عنه, principal of Dār al-'Ulūm Karachi.

[*Fiqhī Maqālāt*, 2:35–56]

[3] Muftī Salmān Manṣūrpūrī, a contemporary muftī and grandson of Mawlānā Ḥusayn Aḥmad Madanī, described his view as an "isolated position" (*tafarrud*) opposing the correct understanding of the Ḥanafī madhhab. (*Fatāwā Shaykh al-Islām* [Jam'iyyah Publications], p.44 footnote) (Translator)

Translator's Addendum: Some Additional Texts

Imām Muḥammad ibn al-Ḥasan al-Shaybānī (132–189 AH) records in *al-Aṣl*: "I said, is praying *nafl* in congregation makrūh apart from the *qiyām* of Ramaḍān (i.e. Tarāwīḥ) and the solar eclipse ṣalāh? He said: Yes." (*al-Aṣl*, 1:363)

Imām al-Sarakhsī (d. 488 AH) states: "The default in *nafl* ṣalāhs is refraining from congregation in them apart from the *qiyām* of Ramaḍān based on the consensus of the Ṣaḥābah about it, as well as the solar eclipse based on the ḥadīth transmitted about it." (*al-Mabsūṭ*, 2:76)

He further states: "Tarāwīḥ is 20 rak'ahs besides Witr in our view. Mālik رحمه الله said the sunnah in it is 36 rak'ahs. It has been said that someone who wishes to practise Mālik's رحمه الله opinion and adopt his stance should do as Abū Ḥanīfah رحمه الله said: pray 20 rak'ahs as is the sunnah, and pray the remainder individually…and this is our madhhab. Al-Shāfi'ī رحمه الله said there is no problem with performing all of them in congregation just as Mālik رحمه الله said, given congregational *nafl* according to him is recommended, while it is makrūh according to us. Al-Shāfi'ī رحمه الله analogised *nafl* to *farḍ* given it is complementary to it so it falls on the same pattern as *farḍ* and it is given the same judgement.

"The argument in our favour is that the default for *nafl* is keeping it concealed. Hence, it is necessary to keep it from being publicised as far as possible. What the opposition have said entails publicising it, hence it cannot be acted upon. This is contrary to obligatory prayers, given it is based on announcing and publicising. Performing it in congregation entails publicising it, so it is more deserving. Clarifying what we said is that had congregation been recommended with regards to *nafl*, the striving standers (in worship) of the night would have done it because every ṣalāh permitted individually and in congregation, congregation in them is more virtuous, yet it is not reported they were performed in congregation in the time of the Prophet ﷺ nor the Ṣaḥābah nor those after them from the Tābi'ūn. Hence, adopting this view is opposed to the entire ummah, hence is void." (*al-Mabsūṭ*, 2:144)

Imām Burhān al-Dīn Ibn Māzah (551–616 AH) states: "If it is asked whether congregational *nafl* outside of Ramaḍān is makrūh, we will say yes." (*al-Muḥīṭ al-Burhānī* [Idārat al-Qur'ān wa 'l-'Ulūm al-Islāmiyyah], 2:243)

He further states: "*Nafl* must not be performed in congregation apart from the *qiyām* of Ramaḍān…because congregation is for the purpose of making salient

features of the religion manifest, so it is restricted to the obligatory prayers. It is reported from the shaykh, the great imām, Shams al-A'immah al-Sarakhsī رحمه الله that *nafl* congregation is only makrūh when performed in the manner of *tadā'ī*. As for when one person is following one or two are following one, that is not makrūh. When three are following one, he رحمه الله mentioned that there is disagreement amongst the mashāyikh about it, some said it is makrūh while others said it is not. **When four are following one it is makrūh without any disagreement**." (*al-Muḥīṭ al-Burhānī*, 2:264)

Aḥmad ibn 'Abd al-Qādīr al-Rūmī (d. 1041 AH) states: "**Congregational *nafl* is makrūḥ taḥrīmī**." (*Majālis al-Abrār*, p.265)